

REMARKS

The Examiner has rejected claims 10–35. Claims 1–9 were previously withdrawn as the result of an earlier restriction requirement. Claims 1–9, 25, and 34 were previously canceled. Claims 10, 11, 16–20, and 23 are being amended to further recite features of the invention. As a result, claims 10–24, 26–33, and 35 are pending for examination with claims 10 and 23 being independent claims.

1. Rejections under 35 U.S.C. §103

1.1. The Examiner has rejected **claims 10, 12–14, 16–23, and 26–33** under 35 U.S.C. §103(a) as being unpatentable over Viswanath (US 2007/0118670) in view of “Communicating Using Multiple Wireless Interfaces” by Kameswari Chebrolu et al. (“Chebrolu”) and in further view of “Dynamic Parallel Access to Replicated Content in the Internet” by Pablo Rodriguez et al. (“Rodriguez”) and in further view of Greer (US 5,978,828). Further, the Examiner has rejected **claims 11 and 24** under 35 U.S.C. §103(a) as being unpatentable over Viswanath in view of Chebrolu and in further view of Rodriguez and in further view of Greer and in further view of Boehm (US 2004/0085944). Further, the Examiner has rejected **claim 15** under 35 U.S.C. §103(a) as being unpatentable over Viswanath in view of Chebrolu and in further view of Rodriguez and in further view of Greer and in further view of Nelson (US 2003/0055975). Further, the Examiner has rejected **claim 35** under 35 U.S.C. §103(a) as being unpatentable over Viswanath in view of Chebrolu and in further view of Rodriguez and in further view of Greer and in further view of Holder (US 2003/0208554). Applicants respectfully traverse.

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Application Number: 19/695,928
Attorney Docket Number: 304931.01

1.2. With respect to **claim 10**, the Examiner states that:

“Viswanath shows a method performed by a **wireless network access device [operator network (14)]** that uses a serving node (18) to link Radio Access Network (24) with multiple gateways (20) providing access to data networks (16)] (par. [0010], Fig. 1)” (OA, pg. 7, lines 3–6; emphasis added)

1.2.1. As such, the Examiner equates Viswanath’s “operator network” to Applicants’ “wireless network access device”. Regarding the “operator network”, Vishwanath teaches that it is a network of devices including a single “serving node” and multiple “gateways” (see FIG. 1 and at least para. [0010]). Accordingly, Applicants have amended **claim 10** to call for:

“...wherein the **wireless network access device is an individual device that includes the plurality of wireless network interfaces, the local network interface, and the processor, the local network interface distinct from any of the plurality of wireless network interfaces.**” (emphasis added)

1.2.2. Support for the amendments can be found in the original specification at least in paragraphs 22 and 25, and in FIG. 2. As such, the amendments made do not constitute new matter.

1.2.3. As such, Applicants claim that a “wireless network access device is an individual device that includes the plurality of wireless network interfaces, the local network interface, and the processor”. But this is patentably different than Viswanath’s “operator network” that is a collection of various devices including a “serving node” (18), “multiple gateways” (20), a “domain name server” (26), a “load balance unit” (22), and a “local domain name server” (30) that are combined in a network (see at least paras [0010],

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[0013], [0016], and FIG. 1. In particular, Viswanath's "operator network" comprising multiple devices is patentably different than the recited "individual device".

1.2.3.1. Further, Vishwanath describes multiple of the "operator network" devices as "nodes", including the "serving node" (see para [0014], lines 7–8) and the "multiple gateways" (see para [0017], lines 9–10). As known to one of average skill in the art at the time of the invention, the term "node" typically refers to a particular device. As such, Vishwanath's "operator network" is comprised of multiple devices and is thus patentably different than the recited "individual device".

1.2.3.2. Further, Vishwanath's "operator network" includes both a "domain name server" and a "local domain name server". As known to one of average skill in the art at the time of the invention, such domain name servers are typically computing devices such as server computers. As such, Vishwanath's "operator network" is comprised of multiple devices and is thus patentably different than the recited "individual device".

1.2.3.3. Further, Vishwanath dedicates FIG. 2 and paragraphs [0027] through [0038] to the description and operation of the "load balance unit" of the "operator network". This "load balance unit" is clearly described as a device that is distinct from the other nodes and servers of the "operator network". Thus, Vishwanath's "load balance unit" is a device that is distinct from the other devices of the "operator network". As such, Vishwanath's "operator network" is comprised of multiple devices and is thus patentably different than the recited "individual device".

1.2.4. Further, Chebrolu may teach a "mobile terminal" that couples to multiple wireless networks (see FIG. 1), but Chebrolu does not teach that a "wireless network access device" is an individual device that includes the plurality of wireless network interfaces,

the local network interface, and the processor, the local network interface distinct from any of the plurality of wireless network interfaces". In particular, Chebrolu may illustrate a "mobile terminal" shown coupled to three wireless networks (FIG. 1), but Chebrolu does not teach such a device that "includes the plurality of wireless network interfaces, the local network interface,... the local network interface distinct from any of the plurality of wireless network interfaces". Specifically, Chebrolu does not suggest a distinct local interface. As such, Chebrolu's "mobile terminal" is patentably different than Applicants' "wireless network access device".

1.2.5. Further, neither Rodriguez nor Greer teach or suggest anything about wireless networks or a "wireless network access device" that is an "individual device that includes the plurality of wireless network interfaces, the local network interface, and the processor".

1.2.6. Accordingly, Vishwanath, even in view of Chebrolu, Rodriguez, and Greer, does not teach the features of **claim 10**. As such, Applicants respectfully traverse and request that the Examiner withdraw the rejection.

1.3. Further, the Examiner states that:

"Claimed "wireless network access device" is mapped to Viswanath's operator network (14) that uses a serving node (18) to link Radio Access Network (24) with multiple gateways (20) providing access to data networks (16)] (par. [0010], Fig. 1). Thus, Viswanath is considered to teach "determining a number of available wireless network interfaces of the wireless network access device," as claimed." (OA, pg. 5, lines 9-13; emphasis added)

1.3.1. But, as argued in section 1.2.3. herein above, Vishwanath's "operator network" is patentably different than Applicants' "wireless network access device". Further, Vishwanath does not teach Applicants' "wireless network access device" (see section 1.2. herein above). As such, Vishwanath does not teach the claimed "determining a number of available wireless network interfaces of the plurality of wireless network interfaces *of the wireless network access device*".

1.4. Further, Applicants have amended **claim 10** to call for:

“...determining a number of available wireless network interfaces of the plurality of wireless network interfaces of the wireless network access device, ***each*** of the plurality of wireless network interfaces communicatively coupled to a ***distinct*** wireless network of a plurality of wireless networks that communicatively couple the wireless network access device to the remote computer;...” (emphasis added)

1.4.1. Support for the amendments can be found in the original specification at least in paragraphs 6, 7, 25, and 47 and in FIG. 2, elements 150–156. As such, the amendments made do not constitute new matter.

1.4.2. As such, Applicants claim “each of the plurality of wireless network interfaces communicatively coupled to a distinct wireless network” wherein the “wireless network access device is an individual device that includes the plurality of wireless network interfaces”.

1.4.3. On the other hand, Vishwanath's “multiple gateways” that are coupled together in an “operator network” (see para. [0010] and FIG. 1) are also patentably different than

Applicants' "plurality of wireless network interfaces" that are included in the "wireless network access device" that is an "individual device".

1.4.4. Further, Vishwanath teaches that his overall "system 10 includes a radio access network 24". But Vishwanath's single "radio access network" is patentably different than Applicants' "plurality of wireless network interfaces" where each such interface is "communicatively coupled to a *distinct* wireless network of a plurality of wireless networks".

1.4.4.1. Further, Vishwanath's "radio access network" is also patentably different than Applicants' "plurality of wireless network interfaces" that are included in the "wireless network access device" that is an "individual device".

1.4.5. Further, Vishwanath teaches that his operator network "uses a serving node 18". But Vishwanath's single "serving node" is patentably different than Applicants' "plurality of wireless network interfaces" where each such interface is "communicatively coupled to a *distinct* wireless network of a plurality of wireless networks".

1.4.5.1. Further, Vishwanath's "serving node" is also patentably different than Applicants' "plurality of wireless network interfaces" that are included in the "wireless network access device" that is an "individual device".

1.4.6. Further, Vishwanath does not teach or suggest any other elements that may be considered the same as Applicants' "determining a number of available wireless network interfaces of the plurality of wireless network interfaces" that are included in the "wireless network access device" that is an "individual device". Nor do the other cited references.

1.4.6.1. Chebrolu teaches a “mobile terminal” that is shown connected to several wireless networks (FIG. 1), but Chebrolu does not teach “determining a number of available wireless network interfaces”. Instead, Chebrolu teaches:

“...the algorithm now needs to *pick up the least number of interfaces that minimizes the cost function while satisfying the bandwidth requirements* of the applications. This can be achieved by ***ordering the networks in increasing order of costs, starting with the least cost network fill up the bandwidth of the networks till the bandwidth requirements are met.***” (Chebrolu, III. Interface Selection algorithm, 2nd para; emphasis added)

1.4.6.2. As such, Chebrolu teaches ordering networks by cost and selecting them (and thus the corresponding wireless interfaces) from lowest to highest cost until bandwidth requirements are satisfied. But this is patentably different than Applicants’ “determining a number of available wireless network interfaces”. In particular, Chebrolu’s “ordering” and implied selecting is patentably different than Applicants’ “determining a number”. As such, Chebrolu does not teach the claimed features.

1.4.7. Accordingly, Vishwanath, even in view of Chebrolu, Rodriguez, and Greer, does not teach Applicants’ “determining a number of available wireless network interfaces of the plurality of wireless network interfaces” that are included in the “wireless network access device” that is an “individual device”. As such, Applicants respectfully traverse and request that the Examiner withdraw the rejection.

1.5. Further, the Examiner states that he “reconsiders his interpretation of Chebrolu and equates packets of Chebrolu with objects of the claim, in order to emphasize on a lack of specificity that would patentably distinguish claimed objects from packets in the

applied reference” (OA, pg. 3, lines 12–15 and also OA, pg. 9, lines 1–5). Applicants respectfully traverse. Even so, Applicants have amended **claim 10** to call for:

“...the ***virtual resource being a web page***, wherein the virtual resource comprises a plurality of objects, the ***plurality of objects including elements of and referenced by the web page***;...” (emphasis added)

1.5.1. Support for the amendments can be found in the original specification at least in paragraphs 16 and 17. As such, the amendments made do not constitute new matter.

1.5.2. As such, Chebrolu’s “packet” is patentably different than Applicants’ “virtual resource” with “the virtual resource being a web page, wherein the virtual resource comprises a plurality of objects, the plurality of objects being elements of the web page”. Accordingly, Chebrolu’s “packet” cannot be considered the same as Applicants’ “virtual resource”. As such, Applicants respectfully traverse and request that the Examiner withdraw the rejection.

1.6. Further, Applicants have amended **claim 10** to call for:

“...receiving via a local communications network at a local network interface of a wireless network access device, from a local computing device coupled to the local communications network, an incoming request for the virtual resource,...”

1.6.1. Support for the amendments can be found in the original specification at least in paragraphs 27 and 30, and in FIG. 2, elements 170 & 172. As such, the amendments made do not constitute new matter.

1.7. Further, Applicants have amended **claim 10** to call for:

“...determining a *number of objects in the virtual resource* **sufficient to retrieve the virtual resource and return it to the local computing device**;...”
(emphasis added)

1.7.1. Support for the amendments can be found in the original specification at least in paragraphs 27 and 53. As such, the amendments made do not constitute new matter.

1.8. Further, Applicants have amended **claim 10** to call for:

“...activating the available wireless network interfaces to which objects of the virtual resource have been assigned;...”

1.8.1. Support for the amendments can be found in the original specification at least in paragraph 32. As such, the amendments made do not constitute new matter.

1.8.2. Related to the claimed “activating”, Chebrolu teaches:

“Once it is *decided as to which interfaces to use*, the **interfaces that are not already up are brought up**...” (emphasis added)

1.8.3. As such, Chebrolu teaches selecting interfaces and activating any not so already. But this is patentably different than Applicants’ “activating the available wireless network interfaces *to which objects of the virtual resource have been assigned*”. In particular, Chebrolu is silent with regards to activating interfaces “to which objects of the virtual resource have been assigned”. As such, Chebrolu does not teach these features. Nor do the other cited references. Accordingly, Vishwanath, even in view of Chebrolu, Rodriguez, and Greer, does not teach the features of **claim 10**.

1.9. Further, Applicants have amended claim 10 to call for:

“...the ***method being performed by a processor of the wireless network access device***,...” (emphasis added)

1.9.1. Support for the amendments can be found in the original specification at least in paragraph [0022] and in FIG. 2, element 132. As such, the amendments made do not constitute new matter.

1.9.2. Applicants point out that at least the recited “processor” renders the claims statutory per a May 15, 2008 Memorandum from the Deputy Commissioner of Patent Examination Policy (“Memo 1”), which states:

“...to qualify as a § 101 statutory process, ***the claim should positively recite the other statutory class (the thing or product) to which it is tied, for example by identifying the apparatus that accomplishes the method steps***, or positively recite the subject matter that is being transformed, for example by identifying the material that is being changed to a different state.” (Memorandum, *Clarification of “Processes” under 35 USC § 101*, May 15, 2008; emphasis added)

1.9.3. As such, a claim should positively recite the apparatus that performs the method in order to be considered statutory. Applicants submit that the claims as amended do positively recite the apparatus that performs the method. Accordingly, the claims as amended are directed to statutory subject matter.

1.9.4. Further, in a January 7, 2009 Memorandum from the Deputy Commissioner of Patent Examination Policy (“Memo 2”), in view of Memo 1 it is further stated that:

“First, a mere field-of-use limitation is generally insufficient to render an otherwise ineligible method claim patent eligible. ***This means the machine or transformation must impose meaningful limits on the method claim’s scope*** to pass the test. Second, insignificant extra-solution activity will not transform an unpatentable principle into a patentable process. This means ***reciting a specific machine or a particular transformation of a specific article in an insignificant step, such a data gathering or outputting, is not sufficient to pass the test.***”

(Memorandum, *Guidance for Examining Process Claims in view of In re Bilski*, January 7, 2009; emphasis added)

1.9.5. Applicants submit that the processor performing the method breathes life into the method that would otherwise be of little use or value. As such, the limitation of “the method being performed by one or more computing devices”, as opposed to being performed by nothing or something else, does impose a meaningful limit on the claim’s scope.

1.9.6. Further, the step of the processor performing the method is the very limitation that breathes life into the method making it of use and value and is, thus, not an insignificant step. As such, the claim as amended meaningfully limits the claim’s scope and recites the processor performing a significant step—the method itself.

1.9.7. Accordingly, **claim 10** as amended and its dependent claims are directed to statutory subject matter.

1.10. Applicants have also amended **claim 23** similarly to claim 10.

1.10.1. Support for the amendments can be found in the original specification at least as indicated in relation to claim 10 herein above. As such, the amendments made do not constitute new matter.

1.10.2. Applicants submit that **claim 23** is allowable for at least the reasons detailed for claim 10 herein above. Accordingly, Vishwanath, even in view of Chebrolu, Rodriguez, and Greer, does not teach the features of **claim 23**. As such, Applicants respectfully traverse and request that the Examiner withdraw the rejection.

1.11. Accordingly, Applicants submit that **claim s10 and 23** are not unpatentable over Viswanath, even in view of Chebrolu, Rodriguez, and Greer. As such, the Applicant respectfully request that the Examiner withdraw the rejection.

1.11.1. Further, **claims 12–22, 24, 26–33, and 35** are each dependent on either claim 10 or 23. As such, claims 12–22, 24, 26–33, and 35 are believed allowable based at least in part upon claim 10 or 23.

Request for Allowance

Accordingly, allowance of the above–referenced application is requested.

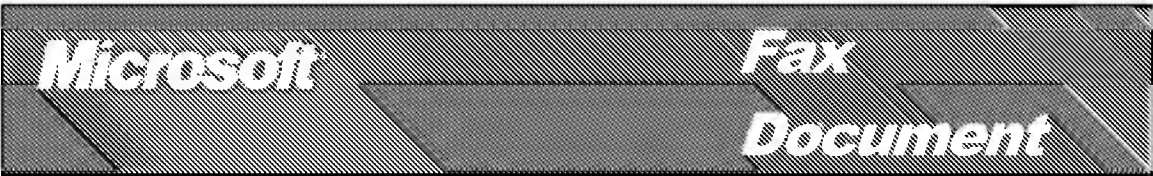
SUBSTANCE OF INTERVIEW

Subsequent to the telephone Interview of July 22, 2009 with the Applicant's representative L. Alan Collins, Reg. No. 57,646, and in compliance with the requirements of MPEP §713.04 and 37 CFR §1.133(b), the Applicant hereby submits a Substance of Interview.

During the course of the interview, claim 10 was discussed according to a Proposed Agenda, a copy of which is included herein below. Agreement was reached with respect to the proposed amendments and arguments of section 1.5. of the Proposed Agenda. Further, an understanding was reached with respect to the intent of the "individual device" proposed amendment of section 1.2.1 of the Proposed Agenda, but the Examiner expressed concern about the specific proposed claim language and indicated an intention to discuss it with his supervisor and get back to me.

Applicants wish to express appreciation for the Examiner's time, courtesy, and collaborative dialogue during the Interview.

Note that the Proposed Agenda, a copy of which is included herein below, was provided to the Examiner in advance of the Interview.

			
To:	OLEG SURVILLO	From:	L. Alan Collins

Amendment Responsive to 5-28-2009 Office Action
Application Number: 19/695,928
Attorney Docket Number: 304931.01

Fax:	571-273-9691	Fax:	
Date:	14/07/2009	Phone:	425-703-8265

Comments:

Dear Examiner Survillo,

Thank you for positively responding to my request for a telephonic Examiner's interview regarding Application 10/695,928 (304931.01). In particular, I propose discussing the 103 rejection of claim 1. Some comments regarding the rejections for discussion are provided below.

I propose the following dates/times for the interview: July 17 and 22-24 between 11:00a and 3:00p your time, and July 20 between 11:00a and 1:00p your time.

Please respond via email or phone to confirm receipt.

Regards,

—L. Alan Collins

PROPOSED AGENDA:

Proposed Amendments to Claim 10:

10. (Currently Amended) A method ~~performed by a wireless network access device~~ for retrieving a virtual resource from a remote computer via a plurality of wireless network interfaces, comprising:

receiving via a local communications network at ~~[[the]]~~ a local network interface of a wireless network access device, from a local computing device coupled to the local communications network, an incoming request for the virtual resource, the virtual resource being a web page, wherein the virtual resource comprises a plurality of objects, the plurality of objects being elements of the web page;

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determining a number of available wireless network interfaces of the plurality of wireless network interfaces of the wireless network access device, each of the available plurality of wireless network interfaces communicatively coupled to a ~~distinct~~ single wireless network of a plurality of wireless networks that communicatively couple the wireless network access device to the remote computer;

determining a number of objects in the virtual resource sufficient to retrieve the virtual resource and return it to the local computing device;

assigning by the wireless network access device each object in the virtual resource to at least one of the available wireless network interfaces, at least one object in the virtual resource being assigned to a different available wireless network interface than another object in the virtual resource;

activating the available wireless network interfaces to which objects of the virtual resource have been assigned; and

transmitting from the wireless network access device an outgoing request to the remote computer for each object in the virtual resource, each outgoing request corresponding to the incoming request, wherein each outgoing request ~~specifies~~ is transmitted via the available wireless network interface ~~assigned to which~~ the corresponding object in the virtual resource is assigned, and wherein ~~[[the]]~~ each object~~[[s]]~~ in the virtual resource ~~[[are]]~~ is downloaded from the remote computer in a conventional manner, responsive to the outgoing requests, ~~from the remote computer~~ to the wireless network access device via the corresponding assigned ~~available~~ wireless network interface~~[[s]]~~, the method being performed by a processor of the wireless network access device, wherein the wireless network access device is an individual device that includes the plurality of wireless network interfaces, the local network interface, and the processor, the local network interface distinct from any of

the plurality of wireless network interfaces.

REMARKS:

1. Rejections under 35 U.S.C. §103

1.1. The Examiner has rejected **claim 10** under 35 U.S.C. §103(a) as being unpatentable over Viswanath (US 2007/0118670) in view of “Communicating Using Multiple Wireless Interfaces” by Kameswari Chebrolu et al. (“Chebrolu”) and in further view of “Dynamic Parallel Access to Replicated Content in the Internet” by Pablo Rodriguez et al. (“Rodriguez”) and in further view of Greer (US 5,978,828). Applicants respectfully traverse.

1.2. With respect to claim 10, the Examiner states that:

“Viswanath shows a method performed by a **wireless network access device [operator network (14)]** that uses a serving node (18) to link Radio Access Network (24) with multiple gateways (20) providing access to data networks (16)] (par. [0010], Fig. 1)” (OA, pg. 7, lines 3–6; emphasis added)

1.2.1. As such, the Examiner equates Viswanath’s “operator network” to Applicants’ “wireless network access device”. Regarding the “operator network”, Vishwanath teaches that it is a network of devices including a single “serving node” and multiple “gateways” (see FIG. 1 and at least para. [0010]). Accordingly, Applicants have amended **claim 10** to call for:

“...wherein *the wireless network access device is an individual device*

that includes the plurality of wireless network interfaces, the local network interface, and the processor, the local network interface distinct from any of the plurality of wireless network interfaces.” (emphasis added)

1.2.2. Support for the amendments can be found in the original specification at least in paragraphs 22 and 25, and in FIG. 2. As such, the amendments made do not constitute new matter.

1.2.3. As such, Applicants claim that a “wireless network access device is an individual device that includes the plurality of wireless network interfaces, the local network interface, and the processor”. But this is patentably different than Viswanath’s “operator network” that is a collection of various devices including a “serving node” and “multiple gateways” that are combined in a network. In particular, Viswanath’s “operator network” is patentably different that the recited “individual device”.

1.2.4. Further, Chebrolu may teach a “mobile terminal” that couples to multiple wireless networks (see FIG. 1), but Chebrolu does not teach that a “wireless network access device is an individual device that includes the plurality of wireless network interfaces, the local network interface, and the processor, the local network interface distinct from any of the plurality of wireless network interfaces”. In particular, Chebrolu may illustrate a “mobile terminal” shown coupled to three wireless networks (FIG. 1), but Chebrolu does not teach such a device that “includes the plurality of wireless network interfaces, the local network interface,... the local network interface distinct from any of the plurality of wireless network interfaces”. Specifically, Chebrolu does not suggest a distinct local interface. As such, Chebrolu’s “mobile terminal” is patentably different than Applicants’ “wireless network access device”.

1.2.5. Further, neither Rodriguez nor Greer teach or suggest anything about wireless networks or a “wireless network access device” that is an “individual device that includes the plurality of wireless network interfaces, the local network interface, and the processor”.

1.3. Further, the Examiner states that:

“Claimed *“wireless network access device”* is mapped to Viswanath’s *operator network (14)* that uses a serving node (18) to link Radio Access Network (24) with multiple gateways (20) providing access to data networks (16)] (par. [0010], Fig. 1). Thus, Viswanath is considered to teach “determining a number of available wireless network interfaces of the wireless network access device,” as claimed.” (OA, pg. 5, lines 9–13; emphasis added)

1.3.1. But, as argued in section 1.2.3. herein above, Vishwanath’s “operator network” is patentably different than Applicants’ “wireless network access device”. Further, Vishwanath does not teach Applicants’ “wireless network access device” (see section 1.2. herein above). As such, Vishwanath does not teach the claimed “determining a number of available wireless network interfaces of the plurality of wireless network interfaces *of the wireless network access device*”.

1.4. Further, Applicants have amended **claim 10** to call for:

“...determining a number of available wireless network interfaces of the plurality of wireless network interfaces of the wireless network access device, ***each*** of the plurality of wireless network interfaces communicatively coupled to a ***single*** wireless network of a plurality of wireless networks that communicatively couple the wireless network access device to the remote

computer;...” (emphasis added)

1.4.1. Support for the amendments can be found in the original specification at least in paragraphs 6, 7, 25, and 47 and in FIG. 2, elements 150–156. As such, the amendments made do not constitute new matter.

1.4.2. As such, Applicants claim “each of the plurality of wireless network interfaces communicatively coupled to a single wireless network” wherein the “wireless network access device is an individual device that includes the plurality of wireless network interfaces”.

1.4.3. On the other hand, Vishwanath teaches that a gateway “may communicate with any number of data networks” (para. [0021], lines 18–19). Accordingly, Vishwanath’s “gateway” is patentably different than Applicants’ “plurality of wireless network interfaces” where each such interface is “communicatively coupled to a *single* wireless network of a plurality of wireless networks”.

1.4.3.1. Further, Vishwanath’s “multiple gateways” that are coupled together in an “operator network” (see para. [0010] and FIG. 1) are also patentably different than Applicants’ “plurality of wireless network interfaces” that are included in the “wireless network access device” that is an “individual device”.

1.4.4. Further, Vishwanath teaches that his overall “system 10 includes a radio access network 24”. But Vishwanath’s single “radio access network” is patentably different than Applicants’ “plurality of wireless network interfaces” where each such interface is “communicatively coupled to a *single* wireless network of a plurality of wireless networks”.

1.4.4.1. Further, Vishwanath's "radio access network" is also patentably different than Applicants' "plurality of wireless network interfaces" that are included in the "wireless network access device" that is an "individual device".

1.4.5. Further, Vishwanath teaches that his operator network "uses a serving node 18". But Vishwanath's single "serving node" is patentably different than Applicants' "plurality of wireless network interfaces" where each such interface is "communicatively coupled to a *single* wireless network of a plurality of wireless networks".

1.4.5.1. Further, Vishwanath's "serving node" is also patentably different than Applicants' "plurality of wireless network interfaces" that are included in the "wireless network access device" that is an "individual device".

1.4.6. Further, Vishwanath does not teach or suggest any other elements that may be considered the same as Applicants' "determining a number of available wireless network interfaces of the plurality of wireless network interfaces" that are included in the "wireless network access device" that is an "individual device". Nor do the other cited references.

1.4.6.1. Chebrolu teaches a "mobile terminal" that is shown connected to several wireless networks (FIG. 1), but Chebrolu does not teach "determining a number of available wireless network interfaces". Instead, Chebrolu teaches:

 "...the algorithm now needs to *pick up the least number of interfaces that minimizes the cost function while satisfying the bandwidth requirements* of the applications. This can be achieved by ***ordering the networks in increasing order of costs, starting with the least cost network fill up the bandwidth of the networks till the bandwidth requirements are met.***"

(Chebrolu, III. Interface Selection algorithm, 2nd para; emphasis added)

1.4.6.2. As such, Chebrolu teaches ordering networks by cost and selecting them (and thus the corresponding wireless interfaces) from lowest to highest cost until bandwidth requirements are satisfied. But this is patentably different than Applicants' "determining a number of available wireless network interfaces". In particular, Chebrolu's "ordering" and implied selecting is patentably different than Applicants' "determining a number". As such, Chebrolu does not teach the claimed features.

1.5. Further, the Examiner states that he "reconsiders his interpretation of Chebrolu and equates packets of Chebrolu with objects of the claim, in order to emphasize on a lack of specificity that would patentably distinguish claimed objects from packets in the applied reference" (OA, pg. 3, lines 12–15 and also OA, pg. 9, lines 1–5). Applicants respectfully traverse. Even so, Applicants have amended claim 10 to call for:

“...the ***virtual resource being a web page***, wherein the virtual resource comprises a plurality of objects, the ***plurality of objects including elements of and referenced by the web page***;...” (emphasis added)

1.5.1. Support for the amendments can be found in the original specification at least in paragraphs 16 and 17. As such, the amendments made do not constitute new matter.

1.5.2. As such, Chebrolu's "packet" is patentably different than Applicants' "virtual resource" with "the virtual resource being a web page, wherein the virtual resource

comprises a plurality of objects, the plurality of objects being elements of the web page". Accordingly, Chebrolu's "packet" cannot be considered the same as Applicants' "virtual resource". As such, Applicants respectfully traverse and request that the Examiner withdraw the rejection.

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Amendment Responsive to 5-28-2009 Office Action
Application Number: 19/695,928
Attorney Docket Number: 304931.01

CONCLUSION

Accordingly, in view of the above amendment and remarks it is submitted that the claims are patentably distinct over the prior art and that all the rejections to the claims have been overcome. Reconsideration and reexamination of the above application is requested. Based on the foregoing, Applicant respectfully requests that the pending claims be allowed, and that a timely Notice of Allowance be issued in this case. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's representative at the telephone number listed below.

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AMENDMENT

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee that is not covered by an enclosed check please charge any deficiency to Deposit Account No. 50-0463.

Respectfully submitted,

Microsoft Corporation

Date: July 23, 2009

By: /L. Alan Collins/

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/L. Alan Collins/
L. Alan Collins

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